



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 24.8-DOE

Subject: Youth Labor

supersedes: DYD 13.7

Approved by:

A handwritten signature in cursive script, reading "George M. Hattaway", is written over a horizontal line.

**Effective
date:**

07/01/1990

Authority:

TCA 37-5-106
Child Labor Act of 1976

ACA Standard:

2-9282, 2-9365, 2-
9366, 2-9367

- I. APPLICATION: All employees of the Department of Children's Services.
- II. POLICY: Youth are not required to participate in uncompensated work assignments unless the work is related to maintenance of their living area, personal hygienic needs, disciplinary procedures, or the work is a part of an approved vocational training program. The Superintendent and staff shall be responsible for enforcement of all federal child labor laws and the Child Labor Act of 1976, as codified in Chapter 31 of the Tennessee Code Annotated, regarding youths performing work. Any other type of labor performed by youths will be voluntary or compensated.
- III. PROCEDURES:
 - A. The Superintendent of each Youth Development Center shall have available and make accessible to all staff copies of the Child Labor Laws. The Superintendent shall be aware of these provisions and require strict adherence to them in program under his/her authority.
 - B. Youth labor shall not be used to perform tasks assigned to staff.
 - C. Youth labor shall not be used for personal gain by any employee. Any employee found in violation of this provision shall be charged with gross misconduct, and if found guilty of such shall be subject to termination of employment with the Department of Children's Services.
 - D. Youths will maintain their living area, personal belongings, and hygienic needs as part of the treatment program to develop independent living skills.
 - E. Youths will be allowed to volunteer for work assignments which are a part of a structured work program. However, this must not interfere with academic and vocational programming which are recommended in the youth's IPP.

- F. Youths shall not be required to perform physical labor when the performance of such labor would constitute any form of compulsory service purely for the benefit or pleasure of others, e.g., the cleaning of staff's personal property. This shall not prohibit the imposition of sanctions of repairing or restoring damaged property caused by the youth or as a sanction which may be imposed by the Hearing Officer/Discipline Committee. Further, this shall not prohibit the use of restitution as a means of discipline.

IV. FORMS: None

**(Note: This Policy Cannot Be Revised Without Prior Permission
of Chancery Court, Davidson County, Nashville, Tennessee.)**